

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment) FINAL ORDER
T-13484, Clackamas County) APPROVING A CHANGE IN POINT
) OF APPROPRIATION

Authority

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

SALMON VALLEY WATER CO.
PO BOX 205
WELCHES, OR 97067

Findings of Fact

1. On July 2, 2020, SALMON VALLEY WATER COMPANY filed an application to change the point of appropriation under Permit G-11534. The Department assigned the application number T-13484.
2. On February 28, 2007, the Department approved Permit Amendment T-10240, entered at Special Order Volume 71, Page 248, amending Permit G-11534 for additional points of appropriation.
3. On June 11, 2002, the Department approved an extension of time for complete application of water to October 1, 2030.
4. On July 1, 2019, the Department approved a Water Management and Conservation Plan submitted by Salmon Valley Water Company. The Approval order was entered at Special Order Volume 113, Page 513.
5. Progress reports have not been filed under Permit G-11534 as of October 31, 2020.
6. Notice of the application for the permit amendment was published in the Department's weekly notice on July 14, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notice.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-0005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

7. Permit Amendment Application T-13484 proposes a change in point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from Authorized points of appropriation as follows:					
						Well	Well 2	Well 3	Well 4	Well 5	Well 6
3 S	7 E	WM	5	SW NE	FG-7 WELL (REPLACING WELL 2) - 1390 FEET SOUTH AND 1500 FEET WEST FROM THE NE CORNER OF SECTION 5	0.4 mi.	167.6 ft.	0.3 mi.	0.2 mi.	0.3 mi.	0.3 mi.

Permit Amendment Review Criteria

8. The change would not result in injury to other water rights.
9. The change does not enlarge the permit.
10. The change does not alter any other terms of the permit.
11. The land use information submitted with the application has indicated that land use approval was being pursued.

Conclusions of Law

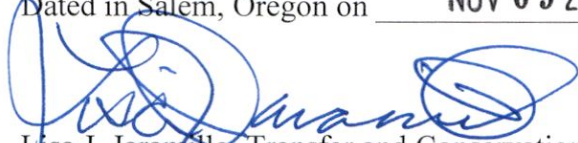
The change in point of appropriation proposed by Permit Amendment Application T-13484 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in point of appropriation proposed by Permit Amendment Application T-13484 is approved.
2. Permit G-18476, in the name of Salmon Valley Water Company, is issued to replace Permit G-11534, and incorporates the amendments approved by this order, the order approving Permit Amendment T-10240, the extension of time, and the Water Management and Conservation Plan. Permit G-11534, in the name of Salmon Valley Water Company, is no longer of any force or effect.
3. The combined quantity of water diverted at the new point of appropriation, (FG-7 Well), together with that diverted at the old points of appropriation, (Well, Well 3, Well 4, Well 5, and Well 6), shall not exceed the quantity of water lawfully available at the original points of appropriation, (Well, Well 2, Well 3, Well 4, Well 5, and Well 6).
4. Prior to the use of water from the proposed point of appropriation, land use approval must be obtained and evidence of such approval shall be submitted to the Department.

5. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation, (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Water shall be acquired from the same aquifer as the original point of appropriation.
7. All other terms and conditions of Permit G-18476 remain the same.

Dated in Salem, Oregon on NOV 09 2020



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing Date: NOV 10 2020